

**BOARD OF COUNTY COMMISSIONERS  
LAKE COUNTY, FLORIDA**

**REGULAR MEETING**

**June 05, 2007**

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**COUNTY COMMISSIONERS**

**Welton G. Cadwell, Chairman**

**Jennifer Hill, Vice Chairman**

**Elaine Renick, District #2**

**Debbie Stivender, District #3**

**Linda Stewart, District #4**

**Cindy Hall, County Manager**

**Sanford A. Minkoff, County Attorney**

**James C. Watkins, Clerk to the Board**

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**DISCLAIMER**

This booklet has been prepared for the convenience of the Board of County Commissioners in discussing matters before them. Every effort has been made to include all items to be discussed at this Board of County Commissioners meeting, however, Commissioners may add items, which are not a part of this Agenda, or items may be removed from consideration. While it has been the goal to present error-free information, we do not represent that documentation is without errors or omissions.

In addition to regular Board meetings, the Board of County Commissioners may, from time to time, schedule a workshop during which they will receive information from staff, have discussions with staff and among themselves, and then proceed to give staff direction on the subject matter being discussed unless otherwise shown on the Agenda item. These discussions and workshops do not take the place of the formal public hearing process during which any member of the public may comment and formal action is taken.

The Board and staff welcome written comments prior to workshops and other meetings. If you have comments or questions regarding the subject matter of any Board action or workshop, please deliver your written comments to appropriate County staff or mail to the Board of County Commissioners, Post Office Box 7800, Tavares, FL 32778.

**ITEMIZED AGENDA**

**June 05, 2007**

9:00 A.M.        Invocation

Pledge of Allegiance

**I.        AGENDA UPDATE**

Discussion regarding proposed revisions to today's Agenda.

**II.      MINUTE APPROVAL**

Tab 1            Approval of the following Minutes:  
May 1, 2007 (Regular Meeting)  
May 14, 2007 (Special Meeting)

**III.        CLERK OF COURT'S CONSENT AGENDA**

Tab 2            Approval of Clerk of Courts' Consent Agenda (Items 1 through 12)

1.    List of warrants paid prior to this meeting, pursuant to Chapter 136.06 (1) of the Florida Statutes, which shall be incorporated into the Minutes as attached Exhibit A and filed in the Board Support Division of the Clerk's Office - Acknowledge receipt.
2.    Monthly Distribution of Revenue Traffic/Criminal Cases, for the month ending March 31, 2007, in the amount of \$186,448.11. Same period last year: \$173,459.18 - Acknowledge receipt.
3.    Application for increase in water and wastewater rates in Alachua, Brevard, Highlands, Lake, Lee Marion, Orange, Palm Beach, Pasco, Polk, Putnam, Seminole, Sumter, Volusia, and Washington Counties by Aqua Utilities Florida, Inc. filed with the Florida Public Service Commission in Docket No. 060368-WS - Acknowledge receipt.

4.    Ordinances from the Town of Lady Lake, Florida as follows:

Annexations:

Ordinance No. 2006-30, Ordinance No. 2006-33, Ordinance No 2006-36,  
Ordinance No. 2006-39, Ordinance No. 2006-42, Ordinance No. 2006-45,  
Ordinance No. 2006-48, Ordinance No. 2006-51, Ordinance No. 2006-54,  
and Ordinance No. 2006-57

Future Land Use Map Amendments:

Ordinance No. 2006-31, Ordinance No. 2006-34, Ordinance No. 2006-37,  
Ordinance No. 2006-40, Ordinance No. 2006-43, Ordinance No. 2006-46,  
Ordinance No. 2006-49, Ordinance No. 2006-52, Ordinance No. 2006-55,  
Ordinance No. 2006-58 and Ordinance No. 2007-09

Zoning Classifications:

Ordinance No. 2006-32, Ordinance No. 2006-35, Ordinance No. 2006-44,  
Ordinance No. 2006-47, Ordinance No. 2006-50, Ordinance No. 2006-53,  
Ordinance No. 2006-56 and Ordinance No. 2007-08

Recommendation:        Acknowledge Receipt

5.    Notice Before the Public Service Commission – In Re: Application for increase in water and wastewater rates in Lake County by Utilities, Inc. of Pennbrooke.

Docket No. 060261-WS  
Order No. PSC-07-0386-PCO-WS

Order Acknowledging Implementation of PAA Rates on an Interim Basis, Subject To Refund, and Providing for Security.

Recommendation:        Acknowledge Receipt

6. Notice of Public Hearing from the City of Eustis for the first reading of Ordinance No. 07-06 and Ordinance No. 07-07 on May 17, 2007 at 7:00 p.m. and the second reading on June 7, 2007 at 7:00 p.m., or as may be continued at their discretion, in the City Commission Room, City Hall, 10 North Grove Street, Eustis, Florida for:

Voluntary annexation of an approximate 135.77 acre parcel located on the north side of CR 44, east of CR 44A.

Recommendation: Acknowledge Receipt

7. Annexation Ordinances from the City of Fruitland Park, adopted on April 26, 2007, as follows:

Ordinance 2007-008, including within the City approximately 159 acres located east of Rolling Acres Road, south of Lake Ella Road, and west of Taylor Mill Road and rezoning the property from County "A" (Agriculture) and "R-3" (Medium Residential District) to "PUD" (Planned Unit Development).

Ordinance 207-014, including within the City approximately 19.5 acres located east of Shadow Hill Drive at 03216 Eagles Nest Road and rezoning the property from County "A" (Agriculture) to "PUD" (Planned Unit Development).

Recommendation: Acknowledge Receipt

8. Proposed budget for the 2007/2008 Fiscal Year for the Greater Lakes Sawgrass Bay Community Development District. A public hearing to consider the adoption of this item has been scheduled for August 1, 2007, at the Marion Baysinger Memorial Library, 756, W. Broad Street, Groveland, Florida 34736 - Acknowledge receipt.
9. Financial Audit of Lake-Sumter Community College for the Fiscal Year Ended June 30, 2006 - Acknowledge receipt.
10. Request for approval to file a claim for unclaimed property on behalf of Lake County.

We have received notification from the Department of Financial Services that they are holding \$16,940.19 in unclaimed money that belongs to Lake County. These funds are from 71 accounts that include vendor overpayments, refunds, credit balances, uncashed checks and other sources. We have reviewed the listing and determined based on the information given the amounts that should be returned to the Board and Constitutional Officers. The Department of Financial Services has requested that we sign and return the claim form accompanied by a written request for payment.

The funds would be distributed as follows:

Board of County Commissioners	\$ 3,638.98
Clerk	5,062.15
Tax Collector	4,421.68
Sheriff	3,777.38
Property Appraiser	<u>40.00</u>
	\$ 16,940.19

Recommendation: Approval of request

11. Pine Island Community District Proposed Budget Fiscal Year 2008 - Acknowledge receipt.

12. Proposed Operating Budget for Fiscal Year 2008 Country Club of Mount Dora Community Development District

In accordance with Chapter 190.008 (2)(b) of the Florida Statutes, the District is required to submit to the local governing authorities having jurisdiction over the area included in the District, for purposes of disclosure and information only, the proposed annual budget for the ensuing fiscal year at least sixty (60) days prior to the public hearing.

The District's public hearing is scheduled as follows:

Date: Thursday, August 9, 2007  
 Time: 8:30 a.m.  
 Place: Country Club of Mount Dora Community Center  
 1400 Country Club Boulevard  
 Mount Dora, Florida

Recommendation: Acknowledge Receipt

**IV. COUNTY MANAGER'S CONSENT AGENDA (Tab 3 through Tab 20)**

**Budget**

Tab 3

Approve Budget Change Requests and Unanticipated Revenue Resolutions:

1. Budget transfer - Animal Control Sterilization Trust Fund, Department of Public Safety, Animal Services Division. Transfer \$5,500 from Reserve for Operations to Operating Supplies. Additional funds are needed in Operating Supplies. The original budget for operating supplies was an estimate prior to the clinic opening. More operating supplies are needed with the clinic now in operation. After this transfer, the balance in the Reserve for Operations account will be \$60,488.
2. Budget transfer - General Fund, Judicial Support. Transfer \$35,070 from Machinery and Equipment to Personal Services. The Public Defender is requesting to add an additional Automated System Specialist for the operation of the Public Defender Technology needs. The funds for the remainder of the year are prorated. This position has been included in the Fiscal Year 2008 budget request. Funds are available from restricted Article V technology funds carried over from Fiscal Year 2006 which are placed in Circuit Judges Technology section until needed by other Judicial functions. \$818,404 was carried forward from Fiscal Year 2006.
3. Resolution to amend the General Fund in order to receive unanticipated revenue for Fiscal Year 2006/2007 in the amount of \$1,489 deposited into Insurance Proceeds and provide appropriations for the disbursement to Office Supplies (\$290) and Machinery and Equipment (\$1,199). Insurance proceeds were received as a result of an insurance claim on a stolen Animal Services laptop computer.
4. Resolution to amend the County Transportation Trust Fund in order to receive unanticipated revenue for Fiscal Year 2006/2007 in the amount of \$21,423 deposited into Insurance Proceeds and provide appropriations for the disbursement to Machinery and Equipment. Insurance proceeds were received as a result of a collision payment on a dump truck.

- [Tab 4](#) Approve and execute the Emergency Local Government Relief Reimbursement Agreement related to debris removal from the Groundhog Day tornadoes.

### **Community Services**

- [Tab 5](#) The Community Health Worker Program seeks board approval to accept the grant award in the amount of \$10,000.00 from the Hispanic Obesity Prevention & Education (HOPE) Program mini-grant initiative. This is contingent on review of the contract by the County Attorney. Funds must be spent or encumbered by June 30, 2007 program implementation may last through December 31, 2007. 90% of these funds will be received by check upon contract signing. Ten percent (10%) match of funds to support the project is required and can be in the form of in-kind through staff, infrastructure, community partners and resources or cash. It is also recommended that the attached resolution accepting the unanticipated revenue be approved.

### **Growth Management**

- [Tab 6](#) Request for approval & execution of a Release of Fine, Property Owner: Jerry Wayne & Robyn Ann Martin , Code Case# 2006020251 - Commission District 2.

### **Procurement**

- [Tab 7](#) It is recommended that the Board (1) declare the items on the attached lists surplus to County needs, (2) authorize the removal of all of the items on the attached lists from the County's official fixed asset inventory system records, and (3) authorize the Procurement Services Director to sign vehicle titles.
- [Tab 8](#) Authorization to standardize on aluminum truck beds for the Department of Public Safety's wildland firefighting vehicle fleet.
- [Tab 9](#) Retroactive approval by the Board for various emergency purchases having a value in excess of \$25,000.00.
- [Tab 10](#) Approve the recommendation of the Audit Committee and authorize the Office of Procurement Services to negotiate a contract with Moore Stephens Lovelace, P.A., the highest ranked qualified firm.

### **Public Safety**

- [Tab 11](#) Lake County Department of Public Safety Fire Rescue Division requests approval to update the 1994 Mutual Aid Agreement between Lake County Department of Public Safety Fire Rescue Division and the Town of Montverde - Commission District 3.

### **Public Works**

- [Tab 12](#) Approval to file the Declaration of Restrictive Covenants for Lake Idamere Park with the Clerk of the Court as required by the Florida Department of Environmental Protection Land and Water Conservation Fund (LCWF) Project Number 12-00499(DEP Contract Number LW499) - Commission District 3.
- [Tab 13](#) Request authorization to release a maintenance bond in the amount of \$9,607.40 posted for Plymouth Hollow. Plymouth Hollow consists of 26 lots and is located in Section 31, Township 19 South, Range 28 East - Commission District 4.
- [Tab 14](#) Approve the request for \$30,000.00 to purchase Five Tenths (0.5) wetland mitigation credits from the Lake Louisa Mitigation Bank, SJRWMD Permit No. 4-069-0313, to satisfy the compensatory mitigation requirements from SJRWMD for the Picciola Bridge Improvements - Commission District 1.
- [Tab 15](#) Recommend approval of a resolution authorizing the posting of "No Parking on Right of Way" signs on CR 466A/ Picciola Rd (5710) at the Bridge #114044 in the Fruitland Park area - Commission District 1.

- [Tab 16](#) Recommend approval and signature on Resolution authorizing the posting of "Stop" signs with 4 way plaques on David Walker Dr (4756) at the intersection of Mount Homer Rd (4956) in the Eustis area - Commission District 4.
- [Tab 17](#) Recommend approval of a resolution authorizing the posting of "No Parking on Right of Way" signs on Register Rd. (6008) on the north and south side for a distance of approximately 1500 from US 27/441 in the Fruitland Park area - Commission District 1.
- [Tab 18](#) Request authorization to release a letter of credit for performance for construction of improvements in the total amount of \$318,950.96 that was posted for The Oaks at Summer Glen. The Oaks at Summer Glen consists of 56 lots and is located in Section 7, Township 19 South, Range 27 East - Commission District 4.
- [Tab 19](#) Approve agreement between Lake County and SLCD, LLC for the construction and maintenance of a round-about at Sugarloaf Mountain entrance on C.R. 455 and accept a Performance and Payment Bond in the amount of \$358,616.29 - Commission District 3.
- [Tab 20](#) Accept a performance and payment bond in the amount of \$1,146,136.23 as surety for a Developer's Agreement between Lake County and Groveland Shoppes, LLC and Groveland Associates LLC and The City of Groveland regarding State Road 50 & CR 565-A - Commission District 2

**V. COUNTY ATTORNEY'S CONSENT AGENDA**

- [Tab 21](#) Approval to Advertise ordinance Amending Section 9-16, clarifying that funds collected under this section may be used for court related functions as required by law.
- [Tab 22](#) Declaration of County owned property as surplus for the purpose of disposal and donation to Habitat for Humanity as an affordable housing site
- [Tab 23](#) Approval of Settlement, Lake County v. Timothy S. Edmondson, et. al. - Commission District 4.

**VI. AWARDS**

**EMPLOYEE AWARDS**

**Presentation of Award to Employees with Five Years of Service**

Betty Davis, Library Page  
Community Services/Library Services/Astor Library

Elbert Welch, Equipment Operator II  
Public Works/Road Operations/Maintenance Area III

Dona Faber, Field Forensic Investigator  
Medical Examiner

Kathleen Pagan, Tourism Specialist  
Tourism & Business Relations

Sharon Hogan, Stormwater Technician  
Public Works/Engineering/Stormwater

**Presentation of Award to Employees with Ten Years of Service**

Brenda Quattlebaum, Special Projects Coordinator  
Community Services/Citizen Support Services

## **Presentation of Award to Employees with Twenty Years of Service**

Steven Lee, Assistant Area Maintenance Supervisor  
Public Works/Road Operations/Maintenance Area III

## **BOARD/COMMITTEE CERTIFICATE PRESENTATIONS**

### **CERTIFICATES**

#### **Children's Services Council**

Kyleen Fischer for service from 2001-2007  
Debbie Thomas for service from 2003-2007

#### **Cultural Affairs Council**

Nancy Clutts for service from 2002-2007  
Dorothy Kuhlman for service from 2005-2007  
Kimberly Lemonakis for service from 2005-2007  
Gary McKechnie for service from 2005-2007  
Robert Marks for service from 2005-2007  
Sonya Montgomery for service from 2005-2007  
Gloria Pasteur for service from 2003-2007  
Chip Schane for service from 2005-2007

#### **Elder Council**

Carol Jensen for service from 2005-2007

#### **Historical Museum Advisory Committee**

Louise Carter for service from 2001-2007  
Sanna Henderson for service from 2000-2007  
Matthew Ragan for service from 2004-2007

#### **Human Services Grant Advisory Committee**

Carol Jensen for service from 2005-2007  
Ellen Miller for service from 2005-2007

## **VII. SPECIAL PRESENTATION**

Tab 24 Presentation by Growth Management staff on the proposed Plaza Collina development.

## **VIII. PUBLIC HEARING - CONTINUED - 9:00 A.M. or As Soon Thereafter**

Tab 25 Public Hearing on Vacation Petition No. 1100, A. Tom Harb (Plaza Collina) and approval and execution of resolution and Drainage and Trail Easement - Commission District 2.

## **IX. PRESENTATIONS**

Tab 26 Presentation by Helena Osborne-Ponsi on VolunteerLAKE updates

Tab 27 Presentation by the Florida Department of Transportation on the Wekiva Parkway PD&E.

## **X. COUNTY MANAGER'S DEPARTMENTAL BUSINESS**

## **Community Services**

- [Tab 28](#) Approval for the Board of County Commissioners to serve as the coordinator for local governments in Lake County in the Byrne Memorial Justice Assistance Grant application process, signature on the "Certification of Participation" document and designation of Brenda Quattlebaum to identify and convene on behalf of the BCC any required advisory board members and meetings, the preparation of the application and/or other required documents or grant processes.

## **Growth Management**

- [Tab 29](#) Approval of the Purchase and Sales Agreement between Lake County and Robert A. Hart. Authorize Chairman to execute necessary closing documents - Commission District 5.

## **Public Works**

- [Tab 30](#) Request authorization to release six (6) Certificates of Occupancy for Sullivan Ranch prior to the completion of required subdivision improvements. Sullivan Ranch consists of 693 lots and is located in Section 34, Township 19 South, Range 27 East - Commission District 4.

## **XI. PUBLIC HEARINGS**

### **PUBLIC HEARING - 9:00 A.M. or As Soon Thereafter**

- [Tab 31](#) Approval of Ordinance to amend several sections of the Lake County Code to change the name Occupational License Tax to Local Business Tax and the document received from a License to Receipt.
- [Tab 32](#) Approve ordinance amending Chapter 22, Lake County Code, Impact Fees, adopting an amended transportation impact fee rate schedule.
- [Tab 33](#) Approve ordinance amending Chapter 22, Lake County Code, Impact Fees, amending general provisions.

## **XII. REPORTS**

### **A. County Attorney**

- [Tab 34](#) Vested rights - TB&T Investments for Imagination Station; Packing House By-Products Co. and Sonoma Hills, Inc. known as Mission Hills with regards to Ordinance 2006-107 which enacted new school concurrency standards - Commission District 3.
- [Tab 35](#) Approval of Lease Agreement Between Lake County and Jose L. Isaacs and Beatrix Isaacs for Sheriff's Department Office Space - Commission District 3.
- [Tab 36](#) Adoption of Resolution Including an Inventory of County Owned Property Appropriate for use as Affordable Housing.

### **B. County Manager**

### **C. Commissioner Hill - Vice Chairman and District #1**

### **D. Commissioner Renick - District #2**

### **E. Commissioner Stivender - District #3**



**F.                    Commissioner Stewart - District #4**

**G.                    Commissioner Cadwell - Chairman and District #5**

#### **CITIZEN QUESTION AND COMMENT PERIOD**

**At this point in the meeting, the Board of County Commissioners will hear questions, comments, and concerns from the citizens of Lake County. Action will not be taken by the Board at this meeting but questions may be answered by staff or issues may be referred for appropriate staff action. If further action is necessary, the item may be placed on the agenda for further review and consideration.**

**NOTE: Zoning or code enforcement matters which may be coming before the Board at a later date should not be discussed until such time as they come before the Board in a public hearing.**

**The County Commission reserves the right to move any Agenda item to an earlier time during the day as its schedule permits, except in the case of items and appointments that have been advertised in a newspaper for a specific time.**

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**Pursuant to the provisions of Chapter 286, Florida Statutes, Section 286.0105, if a person decides to appeal any decision made by the County Commission with respect to any matter considered at this Commission meeting, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record may include the testimony and evidence upon which the appeal is to be based.**

**Persons with disabilities needing assistance to participate in any of these proceeding should contact the Department of Facilities Development and Management at (352) 343-9760, 48 hours in advance of the scheduled meeting.**